

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Sanjay Tripathy,

Plaintiff,

Case # 21-CV-6392-FPG

v.

ORDER

Andrea N. Schneider, et al.,

Defendants.


On February 12, 2024, Plaintiff Sanjay Tripathy moved to amend the complaint. ECF No. 179. On June 21, 2024, Magistrate Judge Marian W. Payson issued a Report & Recommendation (“R&R”), in which she recommended that the motion to amend be denied. ECF No. 184. No objections to the R&R have been timely filed.

When a party does not object to the R&R, the court will review it for clear error. *EEOC v. AZ Metro Distributors, LLC*, 272 F. Supp. 3d 336, 339 (E.D.N.Y. 2017). “When performing such a clear error review, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Boice v. M+W U.S., Inc.*, 130 F. Supp. 3d 677, 686 (N.D.N.Y. 2015) (internal quotation marks omitted). After conducting the appropriate review, the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C).

No objections having been filed, the Court has reviewed the R&R for clear error, and finds none. Accordingly, the Court ADOPTS IN FULL Judge Payson’s R&R (ECF No. 184) and DENIES Plaintiff’s motion to amend the complaint (ECF No. 179).

IT IS SO ORDERED.

Dated: July 17, 2024
Rochester, New York



HON. FRANK P. GERACI, JR.
United States District Judge